

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GRANT HEILMAN PHOTOGRAPHY, INC. : CIVIL ACTION
v. : No. 12-2061
THE MCGRAW-HILL COMPANIES, et al. :

ORDER RE: SCHEDULING AND PRE-TRIAL MOTIONS

AND NOW this 19th day of February, 2016, based on the foregoing Memorandum, and recorded telephone discussions with counsel on February 17 and 18, 2016, the Court **ORDERS** the following schedule order and related matters:

1. Simultaneous briefing on issues as to the effect of the jury verdict at the first trial and rulings of the Court – due March 4, 2016.
2. Plaintiff will file a detailed offer of proof as to liability of defendant for 130 disputed claims. Defendant will file a motion for partial summary judgment as to these 130 disputed claims. Plaintiff will also assert its position on willfulness and defendant will assert its position on the 2.2 multiplier. These submissions are due as of March 4, 2016. Responses are due as of March 11, 2016.
3. The Court will have a hearing on pretrial issues on March 15, 2016 at 11:00 a.m. in Courtroom 3A.
4. Plaintiff shall file a chart or similar summary of damage calculations it intends to use before the jury, by March 18, 2016. Defendant shall respond by April 1, 2016. As to plaintiff's claim for lost profits, defendant will detail its position on showing the reductions it asserts are proper from the gross receipts as asserted by plaintiff. Plaintiff shall respond as to

these reductions by April 15, 2016. The calculations of “actual damages” must follow prior rulings.

5. Any liability issues will be bifurcated from damages.
6. Exchange of witness lists and exhibits lists – due March 11, 2016. Objections are due March 18, 2016.
7. Motions in limine are to be filed no later than April 1, 2016, with responses due April 8, 2016.
8. Deposition designations are due April 1, 2016 with objections and/or cross-designations due April 8, 2016.
9. Trial will begin on May 2, 2016.
10. Any Rule 68 offer of judgment must be filed at least thirty (30) days prior to trial.
11. Defendant’s motion for partial summary judgment on the issue of statutory damages (ECF 276) is **GRANTED**.
12. Plaintiff’s motion to compel discovery (ECF 202) is **DENIED**.
13. Plaintiff’s motion to amend the complaint (ECF 212) is **GRANTED** in part.
14. Plaintiff’s motion for pre-judgment and post-judgment interest (ECF 201) is **GRANTED** in part.

BY THE COURT:

/s/ Michael M. Baylson

MICHAEL M. BAYLSON
United States District Court Judge